

October 26, 2022

U.S. Department of Homeland Security
U.S. Citizenship and Immigration Services
2150 Parklake Drive
Atlanta, GA 30345



U.S. Citizenship
and Immigration
Services

DEVONSHAY LAMIRACLE MELODIE WILLIAMS
c/o NATALIE L GRIGGS
THE FOGLE LAW FIRM LLC ATLANTA
55 IVAN ALLEN JR BLVD STE 830
ATLANTA, GA 30308



MSC2190622070



A219-150-670

RE: ADEDOLAPO ROLAND OYEGADE
I-130, Petition for Alien Relative

DECISION

Dear DEVONSHAY WILLIAMS:

On January 4, 2021, you filed a Form I-130, Petition for Alien Relative, with U.S. Citizenship and Immigration Services (USCIS) on behalf of Adedolapo Roland Oyegade (the beneficiary). You sought to classify the beneficiary as the spouse of a U.S. citizen (USC) under section 201(b)(2)(A)(i) of the Immigration and Nationality Act (INA).

After a thorough review of your petition, the testimony provided during your interview, and the record of evidence, we must inform you that we are denying your petition.

To demonstrate that an individual is eligible for approval as the beneficiary of a petition filed under INA 201(b)(2)(A)(i), a petitioner must:

- Establish a bona fide spousal relationship with the beneficiary; and
- Establish that he or she is a U.S. citizen (USC) or lawful permanent resident (LPR).

In visa petition proceedings, it is the petitioner's burden to establish eligibility for the requested immigration benefit sought under the INA. See *Matter of Brantigan*, 11 I&N Dec. 493, 495 (BIA 1966); Title 8, Code of Federal Regulations (8 CFR), section 103.2(b). You must demonstrate that the beneficiary can be classified as your spouse. See 8 CFR 204.2(a).

Statement of Facts and Analysis, Including Ground(s) for Denial

On January 31, 2022, you and the beneficiary appeared for an interview with an Immigration Services Officer in connection with your Form I-130, Petition for Alien Relative and the beneficiary's Form I-485, Application to Register Permanent Residence or Adjust Status. At the interview, you and the beneficiary supplied testimony under oath. Prior to this initial interview no information was provided showing the bona fides of the marriage.

The evidence in the record and testimony did not establish the claimed relationship.

On March 10, 2022, USCIS issued a Request for Evidence (RFE) advising you that the evidence

supporting the petition was insufficient to establish the beneficiary's eligibility for the classification requested at the time you filed the petition. The following evidence was requested:

- Birth certificate(s) of child(ren) born to the marriage; adoption decrees of children adopted by you and/or your spouse; court guardianship records of stepchildren; school records listing the stepparent as a contact or guardian; or
- Medical records listing the stepparent as a contact or guardian.
- Evidence that you and your spouse have lived together and shared responsibility for a common residence, such as: leases in both names showing joint occupancy; deeds and mortgages in both names showing joint ownership.
- Evidence that you and your spouse have combined financial resources, including financial records showing joint ownership of assets and joint responsibility for liabilities such as: bank account statements for two (2) months in both you and the beneficiary's names showing deposits or withdrawals for the period of your marriage; insurance policies that show the other spouse as the beneficiary; Internal Revenue Service (IRS) tax transcripts for tax periods 2020, and 2021; joint utility bills; joint installment, other loans, or credit card account statements.
- Evidence that you and your spouse have made estate, health, and financial planning arrangements with each other, such as: a will; a trust; or a durable power of attorney for health care, property, or both.
- Affidavits from third parties who are familiar with your marriage.
- Any other evidence that would help USCIS to determine whether you and the beneficiary have a bona fide marital relationship.

You responded to the Request for Evidence (RFE) on June 1, 2022. You submitted the following evidence:

- A copy of Georgia Certificate of Title for a 1997, Toyota motor vehicle purchased January 17, 2022, registered to Devonshay L. Williams and Adedolapo Roland Oyegade and issued February 2, 2022.
- A copy of your Motor Vehicle Payment Receipt from Carroll County, GA, dated February 23, 2022.
- A copy of the State Farm Insurance policy identification cards for Devonshay L. Williams, effective February 8, 2022, to August 8, 2022.
- You provided pages 3 thru 6 of a 7-page PayPal account activities document with a start date of March 1, 2022, to May 30, 2022.
- American Express Gold Card statement for account ending in 7-71002 with a closing date of February 2, 2022, showing charges for Adedolapo Oyegade and Devonshay Williams.
- American Express Gold Card statement for account ending in 7-71002 with a closing date of May 2, 2022, showing charges for Adedolapo Oyegade and Devonshay Williams.
- American Express Gold Card statement for account ending in 7-71002 with a closing date of April 1, 2022, showing charges for Adedolapo Oyegade and Devonshay Williams.
- American Express Gold Card statement for account ending in 7-71002 with a closing date of March 2, 2022, showing charges for Adedolapo Oyegade and Devonshay Williams.



- T-Mobile payment receipts for April 15, 2022 to May 14, 2022, May 15, 2022 to June 14, 2022, and June 15, 2022, to July 14, 2022, for both Adedolap Oyegade and Devonshay Williams.
- A copy of a YouTube Channel page with no identifying information.
- A copy of Chuck E. Cheese's photo with you, the beneficiary, and your child.
- A copy of your Facebook page post dated July 19, 2020.
- Letter of consent dated April 13, 2022, from Lasisi and Olubunmi Oyegade, the beneficiary's parents.
- An affidavit of support from Stanley Nwandu (Senior Pastor), signed and dated May 19, 2022.
- An affidavit of support from Raymond Williams, dated February 4, 2022.
- A copy birth certificate for child Ezekiel Oyegade; born August 7, 2020, listing Adedolapo Roland Oyegade (the beneficiary) as the father, even though he testified on the January 31, 2022, that he was not the biological father and that you were already with child when you both met.
- A Lease Agreement classified as (Updated) signed by Josh Douglas (landlord) and Raymond Williams (tenant), listing you, the beneficiary and your child as also residing at the resident located at 209 East Wilson Street, Villa Rica, GA 30180.
- A copy of Bestow Agency, partnered with North American company for Life and Health insurance, application dated February 2, 2022.
- A copy of the Cigna Georgia Dental Insurance, application dated January 12, 2022, listing the beneficiary as principal applicant and you and the child secondary applicants.
- A copy of Form 1040, Individual Income Tax Return for tax period 2021.

After reviewing the evidence and the testimony provided at the interview, USCIS records indicate that the beneficiary is not eligible for the requested benefit sought for the following reason(s).

Failure to comply to request.

Although you attempted to provide some of the evidence requested from the March 10, 2022, Request for Evidence (RFE). You were not compliant with the following:

- You were requested to submit Internal Revenue Service (IRS) tax transcripts for tax periods 2020, and 2021. However, you submitted a copy of Form 1040, Individual Income Tax Return for tax period 2021, which was not signed.
- You were requested to submit evidence that you and your spouse have made estate, health, and financial planning arrangements with each other, such as: a will; a trust; or a durable power of attorney for health care, property, or both. However, what was submitted was the application along with policy delivery receipt executed on February 2, 2022, to acquire the life and health insurance with Bestow Agency, partnered with North American company for Life and Health insurance. Additionally, the Cigna Georgia Dental Insurance, also was an application dated January 12, 2022, listing the beneficiary as the principal and yourself and child as the beneficiaries. Even though these applications were done there was no additional proof provided showing they are active and current.

Based on a review of the record, USCIS finds that you have not met your burden of proof in

demonstrating that your petition should be approved. Therefore, USCIS denies your Form I-130.

This decision will become final unless you appeal it by filing a completed Form EOIR-29, Notice of Appeal to the Board of Immigration Appeals from a Decision of a USCIS Officer. Although the appeal will be decided by the Board of Immigration Appeals (BIA), you must send the Form EOIR-29 and all required documents to the following address:

U.S. Citizenship and Immigration Services
Atlanta Field Office
2150 Parklake Drive
Atlanta, GA 30345

If you are filing your form at a USCIS field office - cash, a cashier's check or money order cannot be used to for the filing fee. The only payment options accepted at a field office are payment through pay.gov via a credit card or with a personal check.

The Form EOIR-29 must be received within 30 days from the date of this decision notice. The decision is final if your appeal is not received within the time allowed.

If you, the petitioner, intend to be represented on appeal, your attorney or accredited representative must submit Form EOIR-27 with Form EOIR-29.

If you or your attorney wishes to file a brief in support of your appeal, the brief must be received by the USCIS office where you file your appeal either with your appeal or no later than 30 days from the date of filing your appeal. Your appeal will be sent for further processing 30 days after the date USCIS receives it; after that time, no brief regarding your appeal can be accepted by the USCIS office.

For more information about filing requirements for appeals to the BIA, please see 8 CFR 1003.3 and the Board of Immigration Appeals Practice Manual available at www.usdoj.gov/eoir.

If you need additional information, please visit the USCIS Web site at www.uscis.gov or call our USCIS Contact Center toll free at 1-800-375-5283.

Sincerely,



Shineka C. Miller
Field Office Director

Prepared by AC1694 cc: NATALIE GRIGGS

